



Atty. Dkt. No. 065691-0163

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Patrice DEBREGEAS et al.  
Title: GRANULES CONTAINING A  
PLANT SUBSTANCE AND  
PROCESS FOR PREPARING  
THEM  
Appl. No.: 09/312,485  
Filing Date: 05/17/1999  
Examiner: S. Sharareh  
Art Unit: 1619

CERTIFICATE OF EXPRESS MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450.	
EV 227047863 US (Express Mail Label Number)	07/10/03 (Date of Deposit)
Roberta A. Cooper (Printed Name)	
 (Signature)	

#26  
HKO  
7-17-03

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

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Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

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JUL 15 2003  
TECH CENTER 1600/2900

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

**TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(b)(4), before the mailing date of the first Office Action on the merits after the filing of a request for continued examination under 37 CFR §1.114.

**RELEVANCE OF EACH DOCUMENT**

Any document listed on the attached PTO/SB/08 was cited as being relevant during the prosecution of the corresponding International application (PCT/FR00/01316) or the foreign priority application (FR 99 03075). A copy of the International Search Report for PCT/FR00/01316 is attached setting forth the portion of each document considered relevant by the examiner. Applicants have also included the International Preliminary Examination Report. English-language summaries are provided for EP 0 290 299, DE 2458112, and FR 1443063 below. U.S. 5,876,758 is an English-language counterpart for WO 93/12761. The absence of a translation or an English-language counterpart document does not relieve the PTO from its duty to consider any submitted document (37 CFR §1.98 and MPEP§609).

**EP 0 290 299**

This application relates to a process for the preparation of water-soluble pellets containing Ginkgo biloba extract, wherein the pellets are prepared by granulating a mixture that comprises the active principle and a water-soluble support.

**DE 2458112**

This application relates to micropellets comprising an active principle, which may be ipeca extract, and a saccharose as a binder.

FR 1443063

This application relates to a Theophylline formulation, comprising a neutral core coated with a layer containing Theophylline, an adjuvant which may be a thyme extract, and a mixture of glyceride, oily alcohol and beeswax.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447.

Respectfully submitted,

Date 7/10/03

By M. Scott McBride

FOLEY & LARDNER  
Customer Number: 22428



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Substitute for form 1449B/PTO

INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT

Date Submitted: July 9, 2003

Use as many sheets as necessary)

1 of 1

## Complete if Known

Application Number	09/312,485
Filing Date	05/17/1999
First Named Inventor	Patrice Debregeas
Group Art Unit	1619
Examiner Name	S. Sharareh
Attorney Docket Number	065691-0163

## U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
	A1	U.S. 5,876,758		Meybeck	03-02-1999	

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## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	A2		EP 0290 299 A1		Pierre Fabre Medicament	11-09-1988		
	A3		DE 2458 112 A1		Dr. Wilhelm Hurka	02-05-1976		
	A4		EP 0687 466 A1		Tapuach Natural Technologies LTD.	12-20-1995		
	A5		FR 1,443.063		Key Pharmaceuticals Inc.	05-16-1966		
	A6		WO 98/16111		Shaman Pharmaceuticals, Inc.	04-23-1998		
	A7		WO 93/12761		LVMH RECHERCHE	07-08-1993		

## NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>
	A8	International Search Report for PCT/FR00/01316; filed 05-17-2000	
	A9	International Preliminary Examination Report for PCT/FR00/01316; filed 05-17-2000	

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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